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A PRIVATE CIRCULAR

By the Corresponding Committee of Montgomery county, appointed by the Harrisburg Convention, to promote the election of

WILLIAM FINDLAY FOR GOVERNOR.

A REPLY BY

N. B. BOILEAU,

Together with his Correspondence with the said Committee.

"Strike, if you please, but hear me."

(PRIVATE CIRCULAR.)

Montgomery County, Sept. 15th, 1847.

SIR,

THE Committee of Correspondence of Montgomery county, desirous of guarding against the premeditated designs of our secret political enemies, of which you may not be apprised, have considered it expedient and adviseable again to address you through the medium of a private circular.

On the 4th of August last, we did, in our official capacity, as well as through motives of personal friendship, owing to many sinister rumors afloat relative to the inical disposition of *Mathaniel B. Boileau*, to the election of *WILLIAM FINDLAY*, the democratic candidate for governor—which, from the confidence we uniformly entertained of his republican integrity we could not imagine that it was entitled to the slightest credit—but in order to remove public impression and for our individual satisfaction, we addressed him on the subject, and particularly stated in our communication the nature of the reports in circulation, and requested of him as soon as convenient an explicit denial. We received an answer dated the 26th of August; and, much to our astonishment and surprize, it is fraught with falsehood and disappointment and the most malignant political turpitude imaginable: He traduces in the most shameful and dastardly manner the private and public character of *Mr. Findlay*, whom he charges with having obtained his nomination by fraud, speculation, intrigue and corruption, and has the hardihood and effrontery to pronounce comparatively, that the *Carlisle caucus* was equally republican with the delegation composing the *Harrisburg convention*. No expression of opinion can be considered more unauthorized coming from *Mr. Boileau*, as this, particularly when he

made his selection and suffered his name to be nominated by the Harrisburg convention, under a perfect understanding that he, as well as Mr. Findlay, would submit to the decision.—But Mr. Boileau, from his letter in our possession, refuses his support to Mr. Findlay, because he did not receive the preference.—Such conduct is at least, destitute of principle and political honesty—it is traitorously abandoning the democratic party, through whom he secured the second station in the commonwealth. Mr. Boileau, not content with denouncing the character of Mr. Findlay, we are assured, that in order to gratify his disappointed ambition and satiate his revengeful and malignant heart, he secretly supplies our opponents with means to destroy with Mr. Findlay, the republican ascendancy in the state.

Mr. Boileau, since the decision of the arbitrators in the case of Kline and Peacock, has, we understand from respectable authority, been industriously engaged in writing letters to his friends in Montgomery and Bucks counties, to oppose Mr. Findlay; but, instead of answering his desired object it has excited the indignation of those whose political character he attempted to destroy, and renewed in them double vigilance and exertion in support of the real democratic candidate, Mr. Findlay.

We have strong grounds of apprehension from the information we have received from several sources and from the possession of conclusive evidence, of the disappointment of Mr. Boileau, and his unjustifiable animosity towards Mr. Findlay, that his mind is prepared to extend his political treachery to every possible length in order to frustrate the election of the democratic candidate. That it is a matter of infinite importance we should be on our guard, and indefatigable in our exertions, indirectly to apprise our republican brethren in our respective counties throughout the state, to meet with contempt and decided disapprobation, any communication Mr. Boileau may give publicity to under the sanction of his name, previous to the election, in order to injure Mr. Findlay.

We shall answer Mr. Boileau's letter in the course of a few days, in which we shall refute his charges against Mr. Findlay as false, and as the visionary effusions of a disappointed man—and finally denounce him as an enemy of democracy and unworthy the confidence of his former political friends.

We should be happy to hear from you previous to the election, and your candid opinions as to the result in your respective counties.—Our majority will not be less than five hundred. The republicans are firm, vigilant and active, with us, and resent with decision and promptitude, the views and overtures of disappointed men.

PHILIP S. MARKLEY,
HENRY SCHEETZ,
BENJAMIN REIFF,
JOHN WENTZ,
JOHN JONES,
PHILIP REED,
PHILIP YOST.

Committee of correspondence appointed by the Harrisburg convention.

(CIRCULAR.)

Harrisburg, September 29th, 1817.

SIR,

SELF-DEFENCE is the first law of nature.—A sense of that duty which I owe to myself compels me to address you on a subject seriously implicating my moral and political character. For three or four days past I heard it whispered through the town, that there was a paper in circulation containing the most severe denunciations against my character; but I could not get a sight of it. I was told by a friend in town that he had seen the circular in the hands of one of the committee, I requested him to ask if I might have the liberty of seeing it—he did, but it was refused. By this day's mail I received a letter from a friend at a distance, enclosing a paper purporting to be a *private circular* from the corresponding committee of Montgomery county, designed for the several corresponding committees throughout the state, appointed to promote the election of Mr. Findlay. This letter charges me with falsehood, political turpitude, treachery, of abandoning the democratic party, malignity of heart; in short, every thing which constitutes the villain. As no doubt you have received the letter preferring these charges against me, in order, as it is stated, to put you "on your guard to meet with contempt" "any communication of mine"—I am compelled, in whatever manner you may receive it, to put you in possession of a copy of the letter I received from the secretary of that committee and my answer to it, with a brief statement of the circumstances connected with the correspondence, that you may judge how far the *confidential* and candid statement I made in my answer to that letter, justifies the uncharitable, illiberal, and unparralleled denunciation, and whether it does not contain a tincture of that malignity with which I am charged.

From the knowledge I possessed of the political characters of Mr. Findlay and Mr. Hiester, I had serious doubts whether the election of Mr. Findlay or Mr. Hiester would best promote the honour and permanency of the democratic party, or the best interests of the state. Under that impression, and sensible of my own peculiar and delicate situation, I determined not to embark in the cause of either. But, if I may be permitted to compare great things with small, like the belligerents in the late war which desolated Europe, the partisans who had engaged in the conflict which now agitates the citizens of the state, were determined that there should be no neutrality; and all those who could not be drawn into the controversy by the arts of diplomacy, were to be scourged into the ranks by threats, insults, and

the palpable violation of their neutral rights. I was assailed by letters, and personal applications to, *come out*, as they called it, and give my opinions to the public. To those who addressed me by letter, I declined giving any answer, except to one particular and confidential friend whom I could not refuse without violating friendship and respect: and who, as far as I know, although active for Mr. Findlay, has not abused my confidence. To those who made personal applications I gave no opinion, but told them to exercise their own best judgment. In the month of August I received a letter under date of the 4th, from the secretary of the committee of correspondence in Montgomery county, with a view, as I believe, to draw from me an answer for publication.

Aware of my delicate situation, I hesitated until the 20th of August before I determined to answer the letter. To refuse answering it might be construed into a want of respect, or into guilt or pusillanimity—to answer it evasively, into both hypocrisy and fear. Either of those constructions was abhorrent to my feelings. I was also sensible that my answer would be discordant with the sentiments of the gentlemen who addressed me, and that I might expose myself to at least the suspicion of selfish and unworthy motives. But relying on the friendship and confidence they expressed in my “republican integrity,” and on the liberality of their minds, I answered them with truth and candour. In that opinion, however, I have been unfortunately mistaken; they have attributed to me motives the most base and unworthy, which could possibly operate upon the human heart. The honest devotion of more than twenty years of the prime of my life, to promote the cause and principles of democracy, has not sheltered me from the most bitter denunciations. A dagger has been aimed at my bosom in the house of my pretended friends; but, shielded by the consciousness of the purity of my motives, I defy its point. My letter, you will perceive, was written with much freedom, without reserve, and you will remember, with the most perfect confidence, and the fullest reliance upon the friendship, liberality and honor of the gentlemen to whom it was addressed. I am charged with having been “industriously engaged in writing letters to my friends in Montgomery and Bucks counties to oppose the election of Mr. Findlay.” About the first of July, on a visit to my family in Montgomery county, I met with three or four of my friends and neighbours; the election of governor was introduced into our conversation, and the trial pending between Mr. Kline and Mr. Peacock, which circumstance had been published in most of the papers; and they requested me, when the trial was over, to inform them of the result. After the trial I wrote to some of them, one only in Bucks county, with whom I had long been in habits of friendship, intimacy and confidence. I have heard that he has either read or shewed my letter to some of his friends, presuming, I suppose, that as the trial had been published, that it was no longer a secret. In that letter I stated to him a summary of the evidence I had taken from the notes of Mr. Dowley, which corresponded with those taken by Mr. Montgomery, another of the arbitrators, and the award given by them,

similar to what I had stated to the committee. These facts were no secret, the trial was in the open court-house, many attended, the documents on file in the prothonotary's office, and published in several of the newspapers.

Again, I am charged with having abandoned the democratic party. I never have nor never will abandon the party until they abandon their principles, nor will I ever be found in the ranks of federalism until they abandon theirs, and the two parties make a mutual exchange of principles. But when I believe that the democratic party are pursuing measures that will prostrate their principles and their honor, I will never participate in them : and of this I must be the judge, and exercise the right of a freeman and act according to the dictates of my own judgment and conscience—any denunciations to the contrary notwithstanding.

In reply to a paragraph in the circular, with regard to the manner of nomination, I would remark, that I never offered my name as a candidate, nor did I ever speak to a single member of the legislature, or delegate, not even from my own county. I had no expectation of a nomination—I knew a powerful machine had been put in motion, and it did not require the spirit of prophecy to predict the result. Nor did I know, till after the nomination, many of the measures that had been adopted in various counties to insure instructions in favor of Mr. Findlay's nomination. I intended no reflections upon the delegates generally—very many of them were very honest and upright men ; but many of them were deceived, believing that their instructions emanated from at least a respectable number of their constituents, and not from a few selected for a special purpose.

I appeal to you whether it would not have been more candid, liberal, just, and honorable in the committee, before they issued their denunciation, to have answered my letter, furnished me with the promised *refutation*,* which I have not yet received, and ascertained what effect it would produce upon my mind, and whether, after being convinced, had magnanimity enough to have acknowledged my error ? Has not their conduct been something like hanging a man first, and then attempting to convince him of his guilt ? Does not their conduct give a colour at least to the

* Some persons may suppose that from the 20th of August to the present time would have been long enough for the committee to have prepared the *refutation*. Let such recollect—That this will require—1st. To *refute* the records of the legislature—2d. The records of the bank—3d. The documents on file in the prothonotary's office and award of the arbitrators—4th. The testimony of some of the most respectable men in the state—5th. The acknowledgments of Mr. Findlay himself—6th. His own reports of the receipts and expenditures in the treasury—7th. His own confession in his explanatory letter to the Harrisburg committee—8th. The evidence of my own senses—Lastly, as they have promised, "*refute all the visionary effusions of a disappointed man.*" This labour, however easy, and strong-handed they were, would have occupied all their time until the 14th of October, and it was "*a matter of infinite importance*" that I should be *denounced* before the election. And every person knows that to *knock a man down* is the most expeditious method to *refute* him.

charge frequently made against the friends of Mr. Findlay, that they are determined to elevate him to the highest office in the gift of the people, not upon the grounds of his talents, services, or political consistency, but upon the ruins of the character of every man who dares oppose, or refuses to support him? While charging me with secretly endeavouring to destroy Mr. Findlay, have they not fallen into a like error in attempting, by a *private circular*, to ruin my moral and political character? But I will not recriminate—the circular affords an ample theme; I will not weary your patience, nor engage in so unpleasant a task. I would willingly believe that the committee were actuated by an honest zeal to promote, as they believed, the cause of republicanism. Let time determine whether that zeal has been according to knowledge and prudence. I have heard that in another country it is treason to imagine the death of the king; I have known in this country a citizen fined and imprisoned for a constructive contempt. Such doctrine, and such conduct has heretofore been universally reprobated by democrats. But I never knew that it was now one of the *statute* or *common* laws of democracy, that a man who *imagines* that a candidate once nominated may be unworthy of the office, was guilty of treason—or that he is to be denounced as a traitor and apostate, if he answers interrogatories honestly, or takes the liberty of stating to his friends, at their request, facts that are notorious.* If I have violated this law, my ignorance is my only apology.

I most deeply regret that, may I be permitted to say, by the imprudence of my professing friends, a correspondence intended to be confidential, should be forced upon the public. My wish is, that if possible, this correspondence may be limited to the view of those only who have seen the circular. And still more deeply I regret that I should be the cause of giving a moment's pain to a man whom I had long respected as a private citizen, and to whom I now feel no personal hostility, and wound the feelings of an amiable family.

Very respectfully,

Your ob't serv't,

N. B. BOILEAU.

To the Secretary of the Corresponding Committee appointed by the Harrisburg convention for the county of

* Although "*rejected*" by the convention, I did not suppose that I was deprived of the right of thinking, or answering the letters of my friends. This would be as arbitrary and *aristocratical* as to deprive a young man from voting who had never paid taxes.

Norristown, August 4th, 1817.

DEAR SIR,

The Committee of Correspondence, appointed by the Harrisburg Convention, for Montgomery county, to promote the election of the Democratic candidate for Governor, have taken the liberty to address you on a subject which has excited considerable distrust among your republican friends. We have taken this liberty from motives of personal friendship and the unlimited confidence we have uniformly reposed in your republican integrity: and any incident occurring, which has a tendency to destroy or diminish, in any relation, that friendship or confidence, we would deem it an act of injustice to conceal a disclosure. We, therefore, extremely regret that, under existing circumstances, we are obliged to communicate to you, that it is currently reported, by the enemies of Democracy, that you are inimical to the election of William Findlay for governor, and that you are about disclosing some facts relative to his official conduct, as state treasurer, that will completely condemn him in public estimation, and effectually frustrate his election. There are a variety of other sinister rumours afloat. We hear occasionally asserted, that the course you contemplate pursuing in the approaching contest for governor, will be perfectly neutral: and we also hear, with astonishment and surprise, that you have become the confidential friend of Michael Lieb, and that there is a mutual political correspondence supported between you.— We have been disposed to consider these rumours as fabrications, originating from the depravity and ambition which actuate the seceders of the republican family, for the purpose of accomplishing their views of self aggrandisement. But, at the same time, as the friends of democracy, and you being esteemed as one of her favourite supporters, we are desirous of having as soon as convenient, under the sanction of your name, some foundation which will amount to a declaration of an explicit denial of those false reports, calculated so much to injure your political standing, and in a great degree to disturb the republican harmony of particular sections of our country. Be good enough to accept from me and from the committee individually, our warmest wishes for your happiness and welfare.

I have the honor to be, sir,

On behalf of the Committee,

Your friend and humble servant,

PHILIP S. MARKLEV.

N. B. BOILEAU, ESQ.

Harrisburg, August 20th, 1817.

Sir,

I have the honor to acknowledge the receipt of your letter of the 4th instant, written on behalf of the corresponding committee. Please to accept yourself, and tender to the committee my thanks for their expression of confidence in my republican integrity.

My peculiar and delicate situation, renders it an unpleasant task, to speak or write on the subject of the ensuing election of governor. I have cautiously avoided it, and have never written on that topic, unless when addressed by some of my confidential and political friends. At the same time, I am not disposed to shrink from the responsibility of my public or private conduct. As you have addressed me in an official form, I shall answer you with truth and candor. I am no way apprehensive that my political character, *at this day*, will be affected in the estimation of my real political friends, by reports originating with, and circulated by, "the enemies of democracy." For your satisfaction, however, I explicitly declare, that I have neither written to, nor received a letter from Dr. Lieb, since the year 1806, except in October, 1814, when I addressed a note to him, as postmaster, respecting certain election returns, which note, together with his answer, were both published in the Aurora shortly after. Neither have I ever exchanged a single word with him, since the year 1808, when he was a member of the state legislature. In answer to that part of your letter, in which you state, that, "it is currently reported, that I am inimical to the election of Mr. Findlay for governor." I say explicitly, that I am not in favor of the election of either of the candidates. Viewing it as a question extremely problematical, whether the election of Mr. Findlay, or Mr. Hiester, would best promote the real interest, honor, and integrity of the democratic party, my intention and wish was to retire to the walks of private life, without interfering at all in the election of either. You will probably say there is now no alternative—we must support either the one or the other. It is indeed an awkward dilemma, in which the party are placed, by the intrigues of Mr. Findlay himself, and a few bold, unprincipled, and interested political jugglers; and I cannot become a recruiting sergeant, to carry their schemes into operation. Neither am I disposed, under existing circumstances, to oppose the election of Mr. Findlay. I have already said, I am not in favor of Hiester. Besides, I am perfectly aware, that if I did oppose Mr. Findlay, my conduct would probably be attributed to envy, malice, personal feeling, or other improper motives; expose me to the calumny and abuse of most of the democratic printers, so called, who have been early enlisted in the cause of Mr. Findlay,* and who have carefully kept every other name

* I now add, that about the month of February last, a deposition was sent to me, stating that a certain printer told the deponent, that Mr. Findlay had applied to him, to promote his nomination, and that he should be rewarded: that printer entered with zeal in Mr. Findlay's cause. The deponent is of unquestionable character; but as he must depend upon his own labor for support, and it is now a *reign of terror*, I omit his name.

out of view, and scrupulously avoided to give any information^{*} as to his real political character, and no doubt, would exclude from their columns, any thing I might offer in my defence. But, to be a little more explicit in my reasons, for not actively supporting Mr. Findlay in preference to Mr. Hiester; I remark, that I can see no rational ground of preference. Mr. Hiester did certainly expose his property and his life, to defend the cause of freedom and his country, at a time which emphatically "*tried men's souls*." Mr. Findlay has done neither—nor do I know that he has rendered any important service to the democratic party; for what he has done, he has been amply rewarded. On the ground of political consistency—he has no claim superior to Hiester. The latter has always professed to be, and generally, was called a republican—the former, it is said, to have been a federalist, and elected by them in 1797. I was in the legislature at the same time.* he was not then, an active member, but so far as can be judged from his votes, if classed with either party, it must be then, with federalists. In 1805, Mr. Hiester was opposed to the election of Mr. Snyder, at the same time, Mr. Findlay voted in favour of McKean's nomination, in preference to Mr. Snyder; consequently they both came under the denomination of quids. It is objected to Mr. Hiester, that he will be supported by the federalists; this objection comes with a very ill grace, from the same men, who stated it as a recommendation of Mr. Findlay, that he had all the federal votes in the legislature, for treasurer—that in Franklin, the federalists voted for him, in preference to one of their own avowed principles—that if no decided federalist was taken up, that they would prefer him to any other democrat, so called. Again it is objected to Mr. Hiester, that he voted in convention, for the exclusion of young men, between the ages of 21 and 23, from voting, unless they had paid taxes. This vote I disapprove. Here we cannot draw a complete comparison, because, Mr. Findlay was not in the convention, and therefore, we know not, how he would have voted on that question. We must, therefore, take a case or two, which are most analogous. When in the legislature, Mr. Findlay voted with every federalist in the house, against the passage of a bill, to make the accountant officers independent of the executive, according to the true spirit of the constitution. (See Journal, 1804-5, pages, 458, 465, 604.) He, too, voted with every federalist in the house, against instituting any inquiry into the right, or power of the judges, fining and imprisoning Passmore, for an alleged *constructive* contempt of court; or rather for refusing to make concessions to Mr. Bayard. (See Journal 1803-4, page, 634.) I appeal to your candor, whether the vote of Mr. Hiester, or those of Mr. Findlay, savoured most, of aristocratic, arbitrary principles and temper—and whether you would not rather be deprived of a vote for one year, or a part of one, than be exposed all your lives, to fine or imprisonment, at the discretion of a judge?—for remember, that a precedent thus established and sanctioned, becomes as much the law of the

* I boarded in the same house with him, about two years

land, as if it were incorporated in our statute book. Mr. Findlay's vote, went to establish and sanction such a precedent; and then, any man who would not make concessions to another, at the intimation of the court, would be exposed to a fine, and the loss of his personal liberty, at the arbitrary will of a judge. Besides, the vote of Mr. Hiester appeared to correspond with the principles, for which we contended in the revolution; that taxation and representation, should go together. And Mr. Gallatin and M-Kean, voted in the same way; and that was not objected to M-Kean, when he was the democratic candidate for governor; nor did Mr. Findlay object to that, in 1805, at the same time too, when M-Kean had deserted the democratic party, and had grossly insulted both the people, and the legislature, still he voted for M-Kean, in preference to Snyder.

Once more on political consistency. Mr. F. opposed the banking system as ruinous until the year 1814—then became its patron, and shewed on that occasion not only inconsistency, but a disposition to supplant Mr. Snyder; for when he was waited on by Thos. Sergeant (than whom none was a more bitter reviler of Snyder and democrats in 1808) and others, to know whether he would run in opposition to Mr. Snyder, with a *sine qua non*, that all the officers must be changed, Mr. F. did not positively agree to run in opposition, but wanted Mr. Snyder's friends to advise him to decline, at the same time expressed an apprehension that should he decline it might establish a precedent, that a governor should not serve longer than six years. From this brief comparison, even on the ground of political consistency Mr. H. is at least as unexceptionable as Mr. F. Again, it is objected to Mr. H. that he has been guilty of bribery for giving a sum of money for the benefit of the poor of Berks county. Mr. F. has expended tribute the sum in accommodating and entertaining members of the legislature and other influential men who were expected to make and did make the nomination. The former bestowed his own money—the latter, as is charged, made use of the public money, and the late decision of the arbitrators seems to confirm it. On the ground then of bribery they are at least equal—except in Mr. F.'s having applied the money more judiciously and in a way more extensively advantageous to himself. Again, the mode of Hiester's nomination is objected to. All the democrats of the state were openly invited to send delegates to Carlisle to make a nomination—delegates from many counties did meet, all had an opportunity to send them, and they surely had the same right to nominate and recommend a candidate as the delegates who met at Harrisburg. It has not been even alleged that Mr. Hiester ever intrigued or made use of any management to procure his own nomination. This cannot be said with respect to Mr. Findlay. He had his brother-in-law and other recruiting sergeants here all winter, aided by the most persevering and indefatigable industry on his own part.* It is also a noto-

* I now add—for the truth of this remark, I appeal to the members of the legislature, and others who were at Harrisburg during the last session.

rious fact, that in many counties *select* meetings were called for the express purpose of giving instructions to the members of the legislature to support Mr. F.—and in some instances not more than eight persons collected clandestinely and undertook to give instructions to members of the legislature. On the ground, therefore, of fairness and candor in the mode of nomination, Mr. H. is much the least exceptionable.

Nor am I prepared to say, that when once a candidate has been nominated, however unfair the means which have been employed, and however unfit he may be for the office, that it is the duty of every man of the party to support that nomination—if so, general elections are nothing better than an expensive farce, and the people act the contemptible part of punches in a puppet shew. If the party cannot be supported upon principle, it is not worth supporting at all. If intrigue, bribery, corruption, and speculation are sanctioned by the people, men of honour, virtue and independent spirit will despise the unequal contest, and the bold intriguing and unprincipled rule the state. Vice struts in all the pageantry of pomp and power; and moral and political virtue are banished to the vale of obscurity, neglect and contempt.

In every view which I can take of the subject, I can perceive no rational principle upon which Mr. F. can be preferred to Mr. Hiester.

I now proceed to reply to that part of your letter in which it states, that I am “about disclosing some facts relative to his (Mr. F.’s) official conduct as state treasurer, that will completely condemn him in public estimation, and effectually frustrate his election.” This is also incorrect. It however might have arisen from the following circumstance; when I visited my family about the first of July last, I stated to two or three of my neighbours and particular friends, that there was a suit brought by a printer, by the name of Kline, of Carlisle, against Mr. Peacock, a printer at this place, for a libel, the result of which I *believed* would produce the effect you mention. The case was this: Kline stated, that Mr. Findlay was in the habit of getting loans annually from the bank for 60 days, about the beginning of November, just before the auditor general inspected his accounts and the state of the treasury; and that those loans were to make up deficits in the treasury, preparatory to his making a report to the legislature in December, of the state of the finances; that he always repaid the loans at the end of 60 days; and that he consequently had the use of the public money for 10 months in the year, without interest, and used it for improper purposes. Mr. Peacock denied the charge, and said that Mr. Findlay never had a cent out of the bank in his life; that Kline had *fabricated* a *wicked* and *malicious* falsehood. Kline then called on Peacock to take Mr. Findlay and Mr. Ellmaker, his particular friend, Mr. Bryan and Mr. Leech, and go to the officers of the bank and make the inquiry, and let that settle the question of truth or falsehood. Mr. Peacock *declined* the proposition; from *this* circumstance I was convinced that the facts were so: because it was a duty Mr. F. owed to himself and his friends to rebut so serious a charge in

the most conclusive manner; and a fair, easy and certain mode was presented, which, if *innocent*, he would have *instantly* embraced. Kline then brought a suit against Peacock. The suit was determined on Tuesday evening last before arbitrators:—They were five in number, all but one of them, as I understand, were the friends of Mr. Findlay, and that one Mr. J. Downey, a very intelligent and correct man, who has a long time withdrawn himself from political discussions. They found damages of 40 shillings against Mr. Peacock, with costs, probably amounting to \$250. The following I have taken from Mr. Downey's notes.—Subpœnas, *duces tecum*, issued, requiring the directors to produce certain books. Mr. Ellmaker, counsel for Peacock, objected to the production thereof, and the directors refused. An attachment then issued against them, and the books were produced. They exhibited as follows: Note, Nov. 15th, 1813, \$1600. Note, Nov. 14th, 1814, \$3000. Note, Nov. 20th, 1815, \$3000. Note, Nov. 18th, 1816, \$5000, all for 60 days. Robert Smith, the brother-in-law of Mr. Findlay, the drawer. (he was summoned as a witness, but would not appear here or at Chambersburg to make deposition) and W. Findlay the endorser. The amount of the two last passed on the bank books to the credit of the commonwealth, with the exception of a part of the last note. It does not appear from the notes of Mr. Downey how they were disposed of—and the whole amount \$12,600. Notes all taken up by Mr. F. at the end of 60 days. Of the last note of \$5000, 4,500 passed to the credit of the commonwealth, the balance was taken out by Mr. Findlay. It was alleged, on the part of Mr. Peacock's counsel, that the last note discounted was for the use of his brother John, to enable him to purchase United States stock. But as the bank here paid out no par money, but dealt altogether in country paper; which would not answer J. Findlay, Mr. W. Findlay must have either given him a check on one of the Philadelphia banks, or paid him Philadelphia paper out of the treasury; how that was does not appear from the notes before me. The statement of Mr. F.'s account, as follows, deposits, &c.* Mr. Bryan in his evidence, states—That the settlement is made annually on the 1st of December; that in the settlement of Dec. 1st, 1816, Mr. Findlay did not exhibit to him his bank accounts as treasurer, but produced a certificate from Mr. Musgrave, the cashier, certifying \$19,755 16. (See note at bottom of page.) You perceive

*Deposits, 1816.		Nov. 30th,	
Nov. 18th,	\$1,000	Drafts out of bank, \$1000, &c	
Do. 25th,	4,500	amounting to \$37,083 92 in	
May 6th,	15,000	the whole.	
April 22d,	5,000		
Dec. 16th,	15,423 38		
	<hr/>		
	40,923 38		
Balance Nov. 30th,	15,871 18		
	<hr/>		
	\$56,794 56		
	37,083 92		
	<hr/>		
Balance in bank,	\$19,710 64		

that the \$4,500 is credited to the treasurer as a deposit, and is necessary to close the account; but it was alleged that J. Findlay had it.

In the course of the trial Mr. Ellmaker, the counsel for the defendant, produced a letter from John Findlay, to his brother, the treasurer, to prove that he, the treasurer, had no concern in the speculation in the U. S. stock. This letter exhibited on the face of it the most manifest marks of being altered. The plural pronouns *we* and *our* were erased, and pronoun *my* written upon it. Where the word *we* appears to be erased, the letter reads thus: "I see in the papers bank stock now sells at from 30 to 35 per cent. advance—to sell at this price ~~we~~ would make something handsome." The sense appears to be incomplete without the word *we*, or *I*—where the alterations are made the ink is much blacker; but this is a subject not to be clearly described by writing, it must be *seen* to *satisfy* the mind—all I can say or will venture to say is, that it appears to me to have been altered from what it originally was—but by whom, I cannot, nor will I pretend to say. The moral character of Mr. Findlay hitherto has stood far above any suspicion of that kind. Mr. Elder, the counsel for the plaintiff, pronounced it *forgery*, and demanded that it should be filed in the prothonotary's office, that he might hereafter prove the fact if required. The letter is accordingly filed.* This unexpected circumstance has excited universal astonishment. Thus to remove a suspicion of speculation, a suspicion of a much more criminal aspect has been produced. The other circumstances of speculating and using public money without interest, accommodating favorites with par money, and forcing on honest creditors depreciated paper—are all lost and swallowed up in the contemplation of the act last mentioned—and it is with extreme reluctance and pain that I communicate to you the fact—I hesitated *long* before I would *pen* it—gladly would I confine it to my own breast were it in my power—but it cannot be concealed.

* I now remark, that this letter was attached to a deposition of John Findlay, taken at Chambersburg. Mr. Elder wrote to Mr. Ellmaker to file those documents in the office, as they were the property of both parties, that he might have an opportunity to examine them. This was not done. Mr. Elder could not get to see them until the evening of the second day of the trial, when he got them from the arbitrators. In the course of the trial, before those papers were exhibited, Mr. Ellmaker said that he had documents in his pocket, that would blast all the golden prospects of the plaintiff, but that he was *instructed* not to produce them unless *absolutely* necessary!—Why those *instructions*? Was it because that letter was of a *suspicious* aspect? Why not put that letter and the depositions on file as he ought to have done? Was it because they would not bear scrutiny?—No explanation was attempted of the manner in which the loans were disposed of for the years 1813, 14, & 15—the loan of 1816 of \$5,000 was to be sure explained in this way—\$3,000 borrowed two months before it was wanted to pay an instalment for his brother John of \$3,500.

I mention one circumstance more, connected with his official conduct as treasurer. Mr. Forster, cashier of the Harrisburg Bank, states in his evidence, that on examination of the auditor general's report, for three years last past, that in his opinion, the state treasurer could have paid all the claims against the commonwealth, in par money. Was it then just, honest, or honorable to the state, that the fair and honest creditor, should be compelled by the strong arm of the state, to receive depreciated money, when there was sufficient par money, to discharge every claim? Would it not be more just and equitable, that the loss should fall on the whole state, rather than individual creditors? Besides, the state, or its legislature, which is the same thing, caused that depreciation, by the injudicious establishment of the banking system. Did the state creditors receive good paper? let them answer the question. It is a fact, that very many last year, could not get a dollar; and those who did, must receive it under the impression, that it was of the *special grace* and favor from the treasurer. Many of the clerks, who have families, and depend entirely on their salaries for support, could not get a dollar.* Do you ask how this good money was disposed of? Let the treasurer answer that question. In part we know. His friend Achson and brother John were accommodated, it would appear, with \$13,000 of it; to whom the state owed nothing. Frequently has he said in my hearing, and others, when asked by creditors, for Philadelphia paper—I must save a little for the members of the legislature, they must be accommodated. Why, above all others, were *they* entitled to the preference? the *very* men, who had been the instruments in producing the depreciation. Some of these men after they received it, exchanged it with the storekeepers here, at an advance of 8 or 10 per cent. It would be invidious to say, that they were the men who were expected, and who *did* make the nomination, and therefore, should have the preference: that would look like a charge of bribery, and I will not make it. I state the fact—you draw your own conclusions.

It is also a fact, that since last spring, although the receipts of par money, has not increased, there is little difficulty for clerks and others, having claims against the state, to get a considerable, if not all their demands, in par money. It would be invidious, perhaps, to remark, that the nomination being made, the members of the legislature having acted *their* part in the *political drama*, the *common people now*, are to appear on the stage, and therefore, *they* too, must be accommodated. I will not say so. I state the fact; you draw your own inference, whether such conduct in a treasurer, is consistent with impartiality, duty, and the obligations of an oath: I leave you to decide.

I now appeal to you, as men of pride, and principle, honor, and honesty, are you prepared to promote the election of such a character, to the highest and most honourable office, in the gift

*And so do some of the officers, and yet the last year or two, could not get a single dollar of Philadelphia paper.

of the people, who has abused the confidence already placed in him; who lies under the strong suspicion of, at least, participating in an ——— crime? are your nerves sufficiently strong, to view, unmoved, a scene, which probably will be exhibited next session? your governor scarcely seated in the executive chair, before he is arraigned at the bar of a court of justice, to answer for offences committed, and disclosed, not *after* but for months *before* the election. If so, you have the right to act as you please. I shall neither impeach your conduct or your motives; and only ask a like indulgence, when I pursue the dictates of my own conscience and judgment.

A due respect to you, required me to answer your letter; respect for myself, compelled me to do it with candor. By pursuing a different course, it would have been a departure from my uniform conduct of expressing my opinions on all political questions, when duty calls upon me to do it, without *partiality, fear, or favor*, and I should have forfeited all claim to "*the unlimited confidence*" the committee have done me the honor to say, "*they have uniformly reposed in my republican integrity.*" If the sentiments I have expressed, do not accord with yours, do me the justice to *recollect* that they were not *obtruded* upon you. I may be *mistaken* in my opinions, but not in the *facts* upon which they are founded; most of them are within my own knowledge, the rest are on record, in the journals of the legislature, and on the files in the prothonotary's office at this place. I only add to this letter, already too long perhaps, by repeating my wish to retire to domestic life, without embarking at all, in the political contest which now agitates the state, and to avoid the very unpleasant circumstance of wounding the feelings of the candidates, or their friends; to either of these gentlemen I have no personal hostility, nor would I wantonly injure the feelings of any human being.

Very respectfully, &c.

N. B. BOILEAU.

P. S. MARKLEY, }
Secretary of the Corres-
ponding committee, of
Montgomery county. }

P. S. I omitted answering your letter for eight or ten days to know the result of the suit, that I might communicate it to you; since that time I have been frequently interrupted by necessary attention to the duties of my office.

I confide it to your honor not to permit copies of this letter to be taken.

NOTE.

The rough draft of the letter from which the foregoing is taken, was written on several scraps of paper, and at different times, as leisure permitted, part in the office, and part at my lodgings.—It is therefore probable that there may be some difference in the arrangement of the letter sent to the committee, some words and phrases may be different. No alteration, omission, or addition, has been made by design—the subject matter is the same—and the committee have it in their power to correct any error; and I am informed they intend to publish my letter. Such was the perfect confidence I had in the friendship, liberality, and honor of the committee, that the rough draft was carelessly thrown into my desk, without expecting ever to have occasion to look at it again.

POSTSCRIPT.

To the present time, October 4, I have received no answer from the corresponding committee of Montgomery county, to my letter of 4th of August last—nor have been able to get a sight of the private circular in the hands of the committee at this place. I have heard of its circulation in the City, Bucks, Chester, Lancaster, Luzerne, and Northumberland. It is not unreasonable to infer, that the committee of Montgomery county could not be ignorant of it. I did hope that they would have written to me disclaiming any participation in an act of which I thought them wholly incapable.

N. B. B.

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